

Introduced by Senator Thompson

February 17, 1998

An act to add Section 67381 to the Education Code, relating to student safety.

LEGISLATIVE COUNSEL'S DIGEST

SB 1729, as introduced, M. Thompson. School safety.

Under existing law, the governing board of each community college district, the Trustees of the California State University, the Board of Directors of the Hastings College of the Law, the Regents of the University of California, and the governing board of any postsecondary institution receiving public funds for student financial assistance, are required to compile records concerning all occurrence of certain criminal and noncriminal activity.

This bill would require these entities, no later than July 1, 1999, to enter into a written agreement with local law enforcement agencies relating to Type I violent crimes, as defined, that contains procedures for responding, a memorandum of understanding that delineates which law enforcement agency will have jurisdiction and lead agency authority, and a detailed listing of all of their shared responsibilities regarding responding to and investigating these crimes. By requiring community college districts and local law enforcement agencies to enter into these agreements this bill would impose a state-mandated local program.

This bill would provide that this provision shall be known and may be cited as the Kristen Smart Campus Safety Act of 1998.

The provisions of this bill would not apply to the University of California except to the extent that the regents, by appropriate resolution, make the provisions applicable.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 67381 is added to the Education
- 2 Code, to read:
- 3 67381. (a) No later than July 1, 1999, the governing
- 4 board of each community college district, the Trustees of
- 5 the California State University, the Board of Directors of
- 6 the Hastings College of the Law, the Regents of the
- 7 University of California, and the governing board of any
- 8 postsecondary institution receiving public funds for
- 9 student financial assistance, shall enter into a written
- 10 agreement with local law enforcement agencies relating
- 11 to Type I violent crimes that occur on the campus or
- 12 campuses in their systems. At a minimum, the agreement
- 13 shall contain all of the following information regarding:
- 14 (1) Procedures for responding to these crimes.
- 15 (2) A memorandum of understanding that delineates
- 16 which law enforcement agency will have jurisdiction and
- 17 lead agency authority regarding these crimes.



(3) A detailed listing of all of their shared responsibilities regarding responding to and investigating these crimes.

(b) As used in this section the following terms have the following meanings:

(1) “Local law enforcement agency” means a police department or sheriff’s department within five miles of the campus of an entity described in subdivision (a).

(2) “Type I violent crimes” means willful homicide, forcible rape, robbery, and aggravated assault.

(c) This section shall be known and may be cited as the Kristen Smart Campus Safety Act of 1998.

SEC. 2. No later than January 1, 2000, the entities identified in subdivision (a) of Section 67381 of the Education Code shall report to the Legislature regarding the implementation of this act.

SEC. 3. Notwithstanding Section 17610 of the Government Code, if the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code. If the statewide cost of the claim for reimbursement does not exceed one million dollars (\$1,000,000), reimbursement shall be made from the State Mandates Claims Fund.

Notwithstanding Section 17580 of the Government Code, unless otherwise specified, the provisions of this act shall become operative on the same date that the act takes effect pursuant to the California Constitution.